IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY FIFTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION NO : 13000 of 2003

Between:

Md. Zikriya S/o. Md. Ismail
R/o. Besides Sub Registrar's Office,

Achampet Mandal, Mahaboobnagar.

..... PETITIONER

AND

1 The District Registrar of Assurances,
Mahaboobnagar.
2 Sub Registrar,
Achampet Mandal, Mahaboobnagar.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Mandamus or direction, declaring the action of the 1st Respondent herein in issuing the impugned order vide proceedings Nos. SV/2119/2001, dt: 17-03-2003 as arbitrary, illegal and violative of Principles of Natural Justice, Articles 14, 21 of the Constitution of India and pass such other order or orders

Counsel for the Petitioner : MR.A.NARASIMHA REDDY

Counsel for the Respondents : GP FOR REVENUE

The Court made the following :

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O R D E R :

The petitioner was given licence as Stamp vendor in Atchampet Village in the year 1993. By the impugned order
dated 17-6-2003 the first respondent herein cancelled the Stamp vendor licence No.4/1983-Renewal No.17/2002 on allegation that the petitioner suppressed the facts and sold the stamps of same serial number to three different persons and also on an allegation that the names entered in he Sale Register are not tallying with the endorsements in the stamps, which is in convention of Rule 77 (1) and (2) of Indian Stamp Rules, 1925.

The order of cancellation is challenged mainly on the ground that the same has resulted in civil consequences of denying the petitioner to work as Stamp vendor and as the impugned order did not comply with the principles of natural justice, it is nullity. In substantiation of the submission, the attention of this Court is invited to the Charge Memo dated 14-5-2003 wherein it is mentioned that the petitioner allegedly sold stamps to different persons with the same serial number and with different dates, that after receiving the Charge Memo, the petitioner asked for furnishing the copies of relevant documents to meet the charge effectively, which was not acceded to. Though the learned counsel made submissions with emphasis, this Court is not inclined to adjudicate this issue far and the relevant Standing Orders dealing with sale of non-judicial and Court fee Stamps by stamp vendors, namely Standing Order 77 (2) an appeal would lie to the Deputy Inspector General of Registration and Stamps, against the orders of the Registrar removing the stamp vendor and a further second appeal would lie to the Inspector General of Registration and Stamps. The petitioner is given liberty to file appeal before the Deputy Inspector General of Registration and Stamps, within a period of two weeks from today, raising all grounds including the grounds raised in the writ petition. As and when the appeal is filed, the Deputy Inspector General of Registration and Stamps shall entertain the

same and pass appropriate orders in accordance with law, after giving an opportunity of being heard to the petitioner.

The writ petition, without expressing any opinion on the merits of the case, is accordingly disposed of. No costs.

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(V.V.S. RAO, J.)

Dt.25-08-2004.

Msr.

ASSISTNAT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The District Registrar of Assurances, Mahaboobnagar.
2 Sub Registrar, Achampet Mandal, Mahaboobnagar.

3. 2CCs to Government Pleader for Revenue, High Court of A.P.,

Hyderabad.

4. 2CD copies

HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No.13000 of 2003

Dt.25-08-2004.

(Msr)